

**SPECIAL SESSION RUSH COUNTY BOARD OF COMMISSIONERS JANUARY 11, 2010**

The Rush County Board of Commissioners met in special session, Monday, January 11th, 2010 at 7:00 pm with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order. Barnes noted that the meeting was requested by Raleigh Fire Department Chief Verlin Custer.

**RUSH MEMORIAL AMBULANCE**

Ken Masters made the motion to approve the Rush Memorial Hospital ambulance contract that was presented during the January 4<sup>th</sup> commissioner meeting and taken under advisement. Marvin Cole seconded the motion. Motion carried.

It was noted that the contract had been adjusted following the commissioners first signing the contract December 21<sup>st</sup> by Rush Memorial CEO Brad Smith and the commissioners had taken under advisement during their January 4<sup>th</sup> meeting.

**RALIGH EMS**

Verlin Custer, Raleigh Fire Chief, approached the commissioners sharing his concerns to the proposed 2010 contract in regards to Sections 2.2; 2.4 and 2.4(a).

**Section 2.2** *Provider shall cooperate with the Rush Memorial Hospital Emergency Medical Services Director in the establishment an implementation of protocols.*

**Section 2.4** *Provider shall be available to handle the transfer of patients from Rush Memorial Hospital to other facilities on a schedule agreed to with Rush Memorial Hospital and all other ambulance services. The procedures and details of this arrangement shall be worked out between the ambulance services and the Rush Memorial Hospital Emergency Room Director and Emergency Medical Services Director.*

**Section 2.4(a)** *Provider shall respond to Rush Memorial Hospital's request for transfers within a reasonable time based upon the specific circumstances existing at the time of the request. It shall be within the Emergency Room Doctor's sole discretion to call a back-up service if Provider does not respond or cannot transfer within a reasonable time.*

Custer reported that Raleigh Fire Dept has always had their own medical director, Dr. Boersma along with having their own set of protocols. Custer asked that the commissioners remove Section 2.2 from the proposed ambulance service contract.

County Attorney Leigh Morning shared her understanding of the contract she had prepared on behalf of the commissioners. Morning clarified that the proposed contract does not state that Raleigh must use the Rush Memorial Hospital Emergency Medical Services Director. Custer noted that Morning was also the attorney for both the commissioners and RMH and that Section 2.2 was a matter of interpretation

Custer shared the certified letter dated December 28 and received December 31, 2009 that Raleigh had received from Rush Memorial CEO Brad Smith. Custer noted that the letter from Smith gave Raleigh the ultimatum to adhere by the Rush Memorial Hospital set of protocols and to operate under their emergency medical services director.

Custer stated that the main issue was that Raleigh and Rush Memorial Hospital each have a different set of protocols. Raleigh's protocols enable them to offer advanced emergency care. Rush Memorial Hospital set of protocols only allows Raleigh to offer basic emergency care. Custer shared two examples of two subjects who because of Raleigh being able to provide advanced emergency care are alive today. Custer reminded Morning that one subject was her father in-law.

Commissioner Tom Barnes commented that neither sets of protocols had been shared with any of the three (3) commissioners. The commissioners did review Raleigh's copy of the listed protocols as established and provided to them by RMH.

Raleigh Fire Dept. Volunteer Anita Jackson shared her concerns that Raleigh has no desire to operate outside the EMS Commission rules. The patient is always the priority according to Jackson. Jackson explained her concern that the commissioners would interpret that Raleigh does not want to work with Rush Memorial Hospital, because, they do want to work with Rush Memorial Hospital.

Custer shared his comments on a recent letter that Commissioner Masters mentioned he had been received from a family commending Raleigh Fire Dept regarding the expedient response and care received from the volunteers of the department. Custer shared that the volunteers are doing their jobs and do not want any hassles.

Commissioner Ken Masters commended Raleigh Fire Dept on the excellent service that they have provided to their district and he wanted nothing to disturb their activity.

Commissioner Barnes asked if communication has broken down between Raleigh Fire Dept and Rush Memorial Hospital. Custer replied that no communication problems existed prior to sixty (60) days ago.

Sheriff Jeff Sherwood reported that Carthage Fire Dept also has the same issues with Rush Memorial Hospital CEO Brad Smith voicing and making known his desire to take over their department.

County Attorney Leigh Morning reported that following recent conversations with Brad Smith, he is now “backing off” and is no longer interested in combining county ambulance services.

Raleigh Volunteer Adam Schwering questioned the commissioners as to their reluctance to removing Section 2.2 from the proposed contract. Commissioner Barnes shared that he wanted to review the protocols before making any decisions.

Custer reported that the monthly run reports speak for themselves and the department would challenge anyone in the county in regards to the response times and care of patients.

Sheriff Jeff Sherwood questioned the commissioners as to why RMH CEO Brad Smith was pushing towards the combining of a county wide ambulance service. Sherwood asked the commissioners if they were aware of Brad Smiths actions. Commissioner Barnes stated that NO, he had no idea of these happenings.

Leigh Morning explained that the changes were a result from Brad Smith brain storming in regards to efficiencies and cost effectiveness of having a county wide ambulance service as opposed to the smaller sponsored volunteer units. Deborah Adams did note that this is reflected in the December 9<sup>th</sup> county council minutes.

Raleigh EMS Coordinator Christi Hall shared her concerns of never being invited to the meeting with RMA prior to today. Hall explained that she should have participated in all meetings regarding emergency medical services of Raleigh Fire Dept.

Commissioner Masters shared that he understood where the volunteers of Raleigh Fire Dept were coming from and wanted to take the matter under advisement allowing time to review the protocols of both Raleigh and RMH

Custer asked for a gentleman’s agreement between Raleigh Fire Dept and the commissioners to not hold the department to Section 2.2 of the proposed contract.

Leigh Morning reminded Custer and those in attendance that the proposed contract is between Raleigh Fire Dept and the Board of Commissioners. Morning explained that the contract is not between Raleigh Fire Dept and Rush Memorial Hospital and nothing had changed from the previous years contracts. Custer informed Morning that everything was fine until Brad Smith sent a certified letter regarding Rush Memorial Hospitals intent of taking over the county ambulance services. Morning again informed Custer that Brad Smith was “backing

off". Custer asked the commissioners to define "backing off" Commissioner Masters shared his interpretation of "backing off" would be for Raleigh to continue as they have in the past prior to the December 28th letter.

Custer did question Morning as to if Brad Smith would be sending Raleigh a letter resending his December 28<sup>th</sup> letter. Morning informed Custer that NO Brad Smith would not be sending any such letter.

Commissioner Masters made the motion to not enforce Section 2.2 of the proposed contract during the period of advisement allowing each commissioner time to review both departments' protocols and to address and give a final determination during the February 1<sup>st</sup> commissioner meeting. Marvin Cole seconded the motion. Motion carried.

Anita Jackson gave clarification of an earlier comment that Raleigh had called the second (2<sup>nd</sup>) meeting with RMH and that Brad Smith had called the first (1<sup>st</sup>) meeting regarding the issues raised in Sections 2.2; 2.4 and 2.4(a) Jackson reported that the second meeting content was a total surprise to those Raleigh members who had attended the meeting. The meeting content was regarding RMH taking over their area, their equipment, building and people. Other members in attendance who also attended the seconded meeting confirmed Jackson's statements.

Commissioner Barnes asked Custer and the other members in attendance if there were any other issues with RMH other than protocol. Custer shared his concerns that territory lines have become an issue. RMH goes where dispatched and give no care of territory lines. Custer asked that the infringement of territory lines be resolved. Custer also shared his concerns that if the ambulance run is a RMH run the ambulance and patient must go to RMH even if the patient request another hospital.

Sheriff Sherwood shared his continued concerns as to the intent of RMH CEO Brad Smith. Sherwood reported that the sheriff department has an excellent relationship with Raleigh Fire Dept. Raleigh is a volunteer system and is working fine was Sherwood's opinion.

Commissioner Cole shared his regrets that the Raleigh/RMH situation has happened.

Milroy Fire Dept volunteer Becky Puckett shared her concerns of not being informed of in-service dates. Verlin Custer shared that not every person can attend in-service at the same time as this would leave a shortage of volunteers to respond to their area emergencies. Custer explained that Raleigh holds their own in-service to better accommodate their volunteer members. Custer continued to explain that the county departments are all volunteer services and meetings and in-service dates are worked around the volunteer working hours. Volunteers are not paid members and have full-time paid jobs that require their attention.

Milroy Fire Chief Nick White also shared his support of the volunteers of the Raleigh Fire Dept. White also shared his support of all volunteers and their services to their community and to the county. White briefly shared his concerns of this also becoming a problem for the just started Anderson Twp Fire Dept ambulance service. County Attorney Leigh Morning commented that this was no longer an issue.

Commissioner Barnes informed all in attendance that he understood their concerns and would study both set of protocols and assured them that the issue would be addressed with a final determination made during their February 1<sup>st</sup> regular scheduled commissioner meeting.

Commissioner Cole informed Raleigh that they have always done a good job and needed to straighten out the problem.

Motion to adjourn the special meeting was received from Marvin Cole. Ken Masters seconded the motion. Motion carried.

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Tom Barnes, Chairman

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Marvin Cole

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Ken Masters

ATTEST:

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Deborah C. Adams, Auditor